

Message Text

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ACTION COME-00

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FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 8783

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E.O. 11652: N/A

TAGS: ETRD, JA

SUBJECT: COMPLAINT OF U.S. EXPORTER OF LUBRICANTS IN AEROSOL CANS

REF: STATE 239253

SUMMARY: EMBASSY UNABLE TO IDENTIFY ANY UNIQUE CUSTOMS CLEARANCE DIFFICULTIES FOR INDUSTRIAL LUBRICANTS IN AEROSOL CANS. ALL AEROSOL CAN IMPORTS MUST BE TESTED. TIME REQUIRED FOR TESTING IS THREE TO FOUR WEEKS AT GOJ TESTING FACILITY AND ONE TO TWO WEEKS AT MORE EXPENSIVE TESTING FACILITY MAINTAINED BY JAPAN AEROSOL ASSOCIATION. TESTING REQUIREMENTS ALSO APPLY TO DOMESTIC PRODUCERS. ADDITIONAL DELAY MAY HAVE BEEN DUE CROWDED CONDITIONS TOKYO INTERNATIONAL AIRPORT. GOMIYA COMPANY HAS TOLD EMBASSY IT CONSIDERS CUSTOMS CLEARANCE TIME OF ONLY FEW DAYS FOR AEROSOL CANS TO BE QUOTE SATISFACTORY UNQUOTE. GOMIYA REP NOTED THAT DELAY ON RECENT SHIPMENT DUE GOMIYA DELAYS AND NOT RPT NOT SLOW CUSTOMS CLEARANCE. ENGLISH TRANSLATION OF JAPANESE LAW FOR CONTROL OF HIGH PRESSURE GAS POUCHES. END SUMMARY

1. EMBASSY HAS BEEN UNABLE TO DISCOVER ANY NEW OR UNIQUE CUSTOMS CLEARANCE DIFFICULTIES SPECIFICALLY RELATED TO AEROSOL CANS. SUPPLIERS QUERIED HAVE STATED CUSTOMS CLEARANCE TOOK ONLY FEW DAYS AND WAS SATISFACTORY. GENERAL IMPORT OF GOODS BY AIR HAS BEEN SLOWED IN RECENT WEEKS BY VERY CONGESTED CONDITIONS AT TOKYO INTERNATIONAL AIRPORT. GOJ HAS TAKEN STEPS OPEN MORE BONDED AREAS TO RELIEVE SITUATION, BUT MANY FIRMS STILL REPORTING DELAYS.

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2. EMBASSY ALSO CANNOT DOCUMENT AND DOUBTS ALLEGATION GOJ TAKING DELIBERATE STEPS SLOW IMPORTS FROM U.S. WHILE JAPANESE TRADE SURPLUS WITH U.S. IN 1973 GREATLY REDUCED FROM HIGH LEVEL IN 1972, IT WILL STILL STAND AT SOME \$1.5 BILLION. REDUCTION IN TRADE IMBALANCE DUE IN PART TO ACTIONS BY GOJ AND EMBASSY HAS SEEN NO SIGNS THAT POSITIVE APPROACH TAKEN BY GOJ OVER PAST YEAR HAS BEEN ABANDONED.

3. ONE CAUSE FOR DELAY IN IMPORT OF AEROSOL CANS, AS NOTED REFTEL, IS REQUIREMENT FOR TESTING. THIS REQUIREMENT IMPOSED ON IMPORTED GOODS AND ON DOMESTICALLY PRODUCED AEROSOL CANS. TESTING TIME IS THREE TO FOUR WEEKS AT GOJ OPERATED INSTITUTE OF INDUSTRIAL TECHNOLOGY AND ONE TO TWO WEEKS AT JAPAN AEROSOL INDUSTRY ASSOCIATION. COST AT LATTER FACILITY IS 10,000 YEN PER CAN TESTED, TWICE THE AMOUNT CHARGED BY GOJ-RUN FACILITY. IN ADDITION TO TESTING REQUIREMENTS, DOMESTIC PRODUCERS ARE ALSO SUBJECT TO UNANNOUNCED GOVERNMENT INSPECTION OF PRODUCTION FACILITIES, NORMALLY TWICE EACH YEAR.

4. EMBASSY HAS BEEN UNABLE TO DETERMINE WHETHER OR NOT JAPANESE IMPORTERS ARE SHIFTING TO GERMAN SUPPLIERS AS MENTIONED REFTEL. BELIEVE THAT DIFFICULTIES FACED BY U.S. FIRMS WOULD BE SAME FOR GERMAN FIRMS AND THUS UNABLE SEE REASON FOR SUCH A SHIFT, IF IT IS TAKING PLACE, UNLESS PRICE A FACTOR.

5. IN EFFORT OBTAIN FURTHER BACKGROUND, EMBOFF MADE LOW-KEY APPROACH TO MR. TSUBOI, HEAD OF IMPORT SECTION, OSAKA HEAD OFFICE, GOMIYA COMPANY. REFERRING TO RECENT EXAMPLE, TSUBOI STATED LPS SAMPLE PRODUCTS (FIVE DOZEN) HAD ARRIVED ITAMI AIRPORT (OSAKA) ABOUT NOVEMBER 10. PRODUCTS CLEARED CUSTOMS IN FEW DAYS AND GOMIYA NOTIFIED. DUE TO PRESS OF YEAR-END BUSINESS AND MISTAKE BY GOMIYA OVER FORMS REQUIRED, TEN CANS NEEDED FOR TESTING NOT PICKED UP UNTIL DECEMBER 4 AND NOT DELIVERED TO TESTING FACILITY UNTIL DECEMBER 11. GOMIYA IS USING LESS EXPENSIVE BUT MORE TIME-CONSUMING GOVERNMENT TEST FACILITY. TSUBOI CONFIRMED THAT CUSTOMS PROCESSING TOOK ONLY SHORT PERIOD AND MAJOR PORTION OF DELAY DUE GOMIYA PROCEDURES. HE SAID THAT PROCEDURE COULD BE DONE MORE RAPIDLY IN FUTURE. HE FOUND CUSTOMS PROCEDURES IN CASE OF LPS PRODUCT QUOTE LIMITED OFFICIAL USE

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SATISFACTORY END QUOTE.

6. EMBASSY HAS POUCHED ENGLISH TRANSLATION OF JAPANESE LAW FOR CONTROL OF HIGH PRESSURE GAS. LAW REQUIRES CANS BE TESTED AT NO LESS THAN 13 KILOGRAMS PER SQUARE CENTIMETER PRESSURE. PS CANS RATED AT 200 POUNDS PER SQUARE INCH (ABOUT 14 KILOGRAMS PER SQUARE CENTIMETER) SHOULD THUS MEET GOJ REQUIREMENTS.

7. EMBASSY AWARE THAT DELAYS IN DELIVERY OF GOODS TO IMPORTER
CAN HAVE SERIOUS ADVERSE EFFECT ON SALES. EVERY EFFORT IS
MADE FULLY INVESTIGATE ALL INSTANCES OF DELAY BROUGHT TO OUR
ATTENTION. IN LPS CASE, GOMIYA DOES NOT BELIEVE DELAYS
DUE GOVERNMENT ACTION OR INACTION. IF LPS HAS OTHER
SPECIFIC CASES, WE WILL BE PLEASED CONTINUE OUR INVESTIGATION
THIS MATTER.
SHOESMITH

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